

### **REMARKS**

In view of the following remarks, Applicant respectfully requests reconsideration of the rejections.

#### **Status of the Claims**

Claims 56–91 were pending. In the Office Action dated August 7, 2008 Examiner 1) rejected claims 56–59, 62–65, 68–71, 74–77, 80–83, and 86–89 under 35 U.S.C. 102(b) as allegedly anticipated by Caldara (U.S. 6,236,655); and 2) rejected claims 60, 61, 66, 67, 72, 73, 78, 79, 84, 85, 90, and 91 under 35 U.S.C. 103(a) as allegedly obvious due to Caldara in view of Oberman (U.S. 2003/0026267). Claims 56–91 remain pending.

#### **Claim 56–91**

Independent claim 56 recites, in part, “wherein virtual channels designate logical subdivisions of a link and are not used for routing of packets . . . transferring packets between said first and second ports . . . utilizing a table to remap the first number of virtual channels to the second number of virtual channels . . . .” Independent claims 62 and 68 recite similar limitations. Independent claims 74, 80, and 86 are similar except the switching logic (claims 74 and 80) or transfer (claim 86) use the second number of virtual channels instead of the second port. However, the cited references fail to teach or suggest the limitations. Examiner cites to-switch processing port 0 (“TSPP0”) of Figure 1 of Caldara as allegedly teaching the first port. Examiner next cites TSPP1 as allegedly teaching the second port. At col.3 ¶.50–53, Caldara states “Switch fabric 16 is operable to transfer a data cell, such as control cells 24, from a TSPP 12 to a from-switch processing port (FSPP).” However, TSPP0 and TSPP1 fail to teach or suggest transferring packets between a first and second port as required by the claims because TSPP0 does not transfer packets to TSPP1 and vice versa. Furthermore, no other art of record teaches or suggests the limitation. For at least this reason, independent claims 56, 62, 68, 74, 80, and 86, along with their dependent claims 55–61, 63–67, 69–73, 75–79, 81–85, and 87–91 are allowable over Caldara and Caldara in view of Oberman.

Assuming, arguendo, FSPP was meant to be cited as the second port, Examiner cites various points of Caldara as allegedly teaching “wherein virtual channels designate logical subdivisions of a link and are not used for routing of packets . . . utilizing a table to remap the first number of virtual channels to the second number of virtual channels.” However, Caldara does not teach or suggest remapping of virtual channels not used for routing of packets. Caldara teaches asynchronous transfer mode (“ATM”) relay. Applicant submits that virtual connections of ATM and virtual channels are not properly equated. In ATM, virtual connections are effectively addresses used for routing cells. ATM operates by utilizing the virtual connection identification (“VCI”) number to determine the output port, the basic routing function of a switch or router. However, the virtual channels of the present claims expressly are not used for routing of packets. This is also clear because the actions of configuring the ports to operate using specific, different numbers of virtual channels makes no sense to one skilled in the art if the virtual channels are equated to addresses, the virtual connections of ATM. For at least this additional reason, independent claims 56, 62, 68, 74, 80, and 86, along with their dependent claims 55–61, 63–67, 69–73, 75–79, 81–85, and 87–91 are allowable over Caldara and Caldara in view of Oberman.

### **Conclusion**

For the reasons stated above, Applicant respectfully submits that the application is in condition for allowance. In the course of the foregoing discussions, Applicant may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed, or that limitations from the specification can be imported into the claims. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the prior art which have yet to be raised, but which may be raised in the future.

Applicant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in attachments accompanying this document. However, in the event that additional extensions of time are necessary to allow consideration of this document, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Conley Rose, P.C. Deposit Account Number 03-2769/2120-02400/HTDC.

Respectfully submitted,

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